

Remarks

This is a response to the office action mailed May 12, 2004. Claims 1-19 were filed in this application. In this office action, the Examiner objects to the specification due to an informality. The Examiner further objects to claims 7-12 as lacking sufficient antecedent basis for a limitation in claim 7.

The Examiner rejects claims 1-4 and 14-17 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,875,366, issued to Yoshida et. al. (hereinafter "Yoshida"), in view of Thailand 20241 (hereinafter "Thailand"). By way of this response, Applicant amends the specification, drawings, cancels claims 13 and 18, and amends claims 1, 7 and 17. Reconsideration and reexamination of the application is respectfully requested.

A. Objection to the Specification

The examiner objects to the specification as containing informalities, namely, the use of reference number 54 for both the coil spring and finger. The specification has been amended per the Examiner's suggestions. Component number 54 is now used for the coil spring, and component number 55 is used for the finger. Figures 4, 15(a)-(d) and 16(a)-(b) have also been corrected for consistency.

Upon further review, Applicant notes another discrepancy in the specification and drawings and has made the appropriate changes. The projection is now component number 53. Figures 3-9 and 12 have also been corrected for consistency. Replacement drawing sheets and figures showing changes in red are submitted with this response. The amendments to the specification and drawings are fully supported by the specification. No new matter has been added by way of this response.

B. Objection to Claims 7-12

The examiner objects to claims 7-12 because of the recitation “first and second spring contacts.” Claim 7 has been amended so that there is sufficient antecedent basis for the limitation in the claim and no new matter has been added.

C. Rejections Under 35 U.S.C. § 103(a)

The Examiner rejects claims 1-4 and 14-17 under 35 U.S.C. § 103(a) as being unpatentable over Yoshida in view of Thailand. The Examiner indicates that claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant cancels claim 13, and incorporates the subject matter of claim 13 into claim 1. Applicant respectfully submits that claim 1 is now in condition for allowance. As a result, the rejection of claim 1 is removed. Applicant respectfully suggests that dependent claims 2-14 depend from allowable subject matter presented in claim 1, thereby removing the Yoshida/Thailand obviousness rejection to claims 2-4 and 14 and placing the dependent claims in condition for allowance.

Further, the Examiner indicates that claim 18 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant cancels claim 18, and incorporates the subject matter of claim 18 into claim 17. Applicant respectfully submits that claim 17 is now in condition for allowance.

Applicant respectfully asserts that claims 15 and 16 are not obvious in view of the Yoshida/Thailand combination. The Examiner’s proposed combination of references does not teach nor suggest all of the claim limitations as set forth in claims 15 and 16. MPEP §2143.01 details the basic requirements necessary to establish a prima facie case of obviousness:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either if the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

It is clear from a reading of both the Yoshida and Thailand references that neither contains a suggestion or motivation to combine the references in the manner suggested by the Examiner. "The level of skill in the art cannot be relied upon to provide the suggestion to combine references." See MPEP §2143.01 citing all *cited-Site Corp. v. VSI Int'l Inc.*, 174 F3rd 1308, 50 USPQ 2d 1161(Fed Cir. 1999).

Yoshida discloses and claims a sprocket wheel and photo film advancing device for use with a camera. Yoshida does not teach or suggest disposing the electric motor between the first and second chambers. Rather, Yoshida explicitly teaches the motor contained inside the take-up spool (Yoshida '366, col. 15, l. 49). It would not be obvious to one of ordinary skill in the art to move the motor such that the electric motor is disposed between the first and second chambers outside the chamber, as is disclosed and claimed by Applicant.

A patent claim is not a road map for the Examiner to search out each patent limitation and combine them in an obviousness rejection. Motivation must be found to combine references. No motivation can be found to combine the Yoshida and Thailand references to determine the present invention is obvious to one of ordinary skill in the art. Neither the Yoshida nor the Thailand references teach or suggest placement of the motor between the first and second chambers. Placement of the motor between the chambers allows the switch means and shutter release assembly to activate the motor on depression of the shutter button and subsequent release, and to de-activate the motor on movement of the shutter release assembly from the discharged condition back to the primed position. Thus, Applicant respectfully submits that claim 15 is allowable over the combination of references presented

by the Examiner. Further, claim 16 depends from allowable subject matter presented in claim 15 and is therefore also in condition for allowance.

D. Allowable Subject Matter

The Examiner indicates that claims 5,6, 13 and 18 would be allowable if rewritten in independent form. Further, claims 7-12 would be allowable if rewritten to overcome the 35 U.S.C. §112, second paragraph rejections and include the limitations of the base claim. Claim 19 is allowed by the Examiner.

Claims 13 and 18 are canceled and incorporated into independent claims 1 and 17 respectively. Claim 7 has been amended to correct the 35 U.S.C. §112, second paragraph error. As such, claims 7-12 are now in condition for allowance as depending from allowable subject matter in independent claim 1.

E. Conclusion

Applicant has made a genuine effort to respond to each of the Examiner's objections and rejections in advancing the prosecution of this case. Applicant believes that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If any additional issues need to be resolved, the Examiner is requested to telephone the undersigned at his convenience.

Respectfully submitted,

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Title: CAMERA WITH MOTORISED FILM ADVANCEMENT
First Named Inventor: Yet Chan
Atty. Docket No.: LWC0101PUSA

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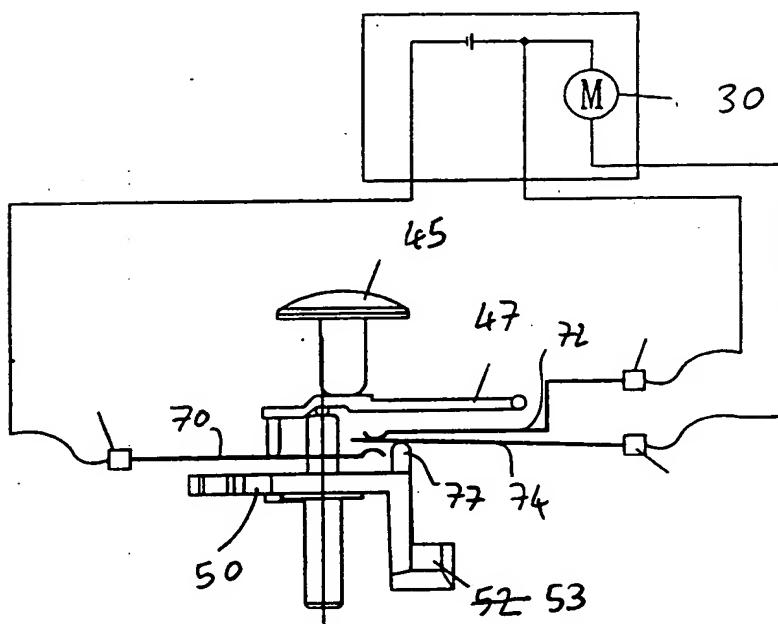


Fig.3

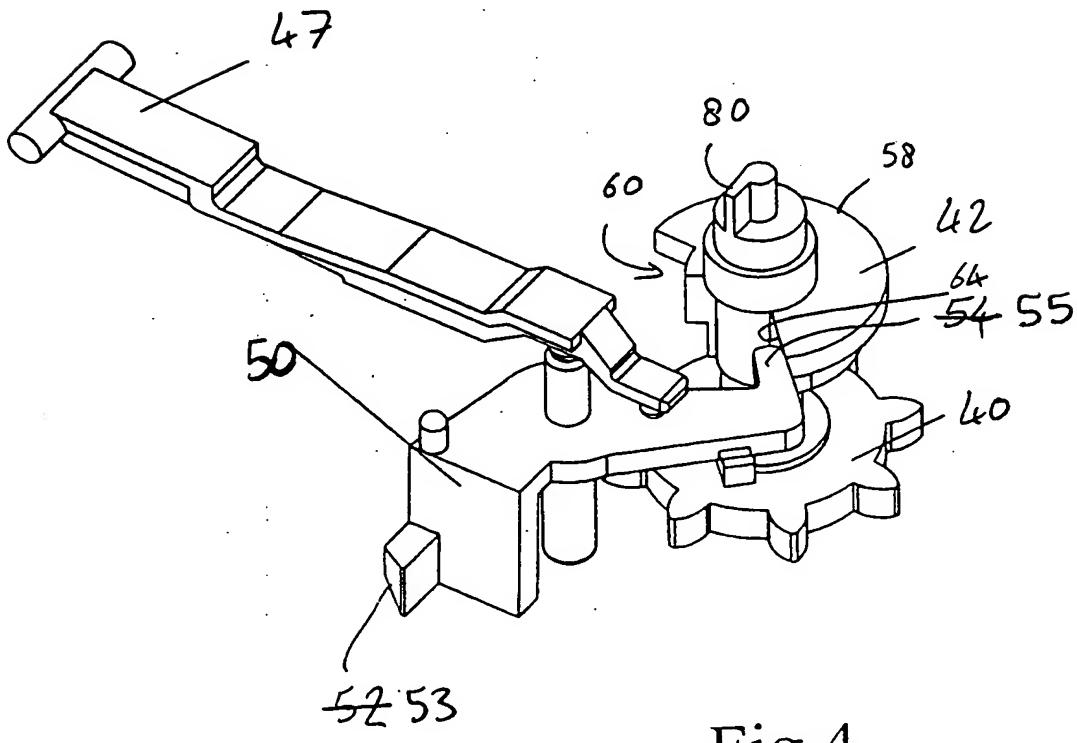


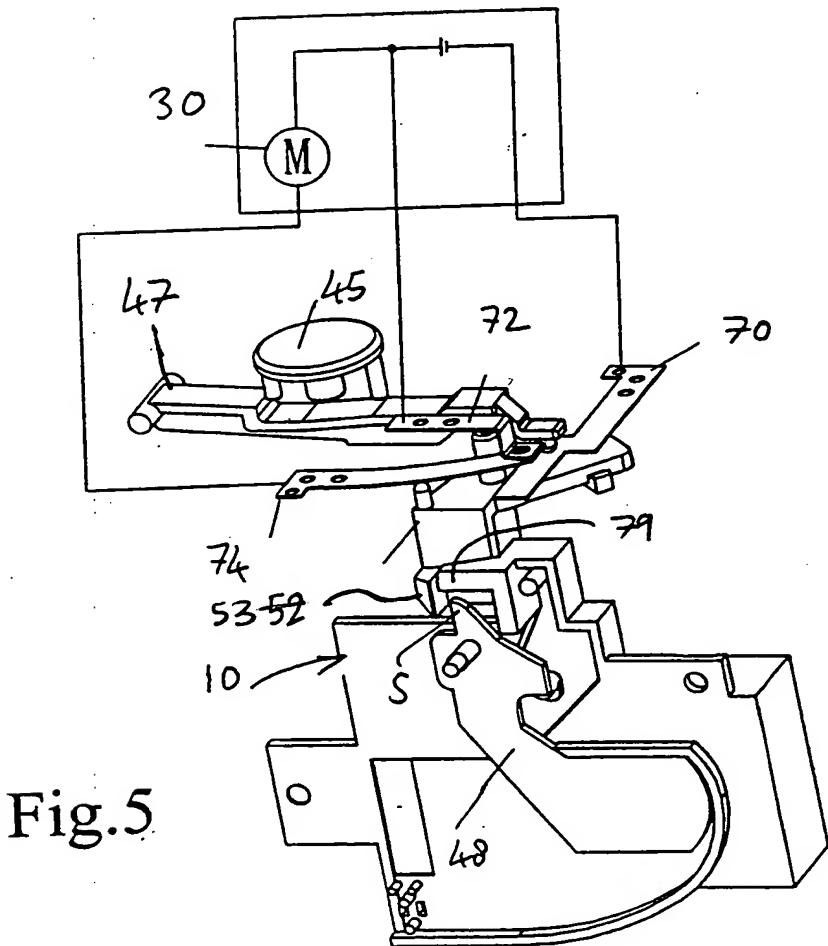
Fig.4

Application Serial No. 10/633,783
Reply to Office Action of May 12, 2004
Annotated Sheet Showing Changes



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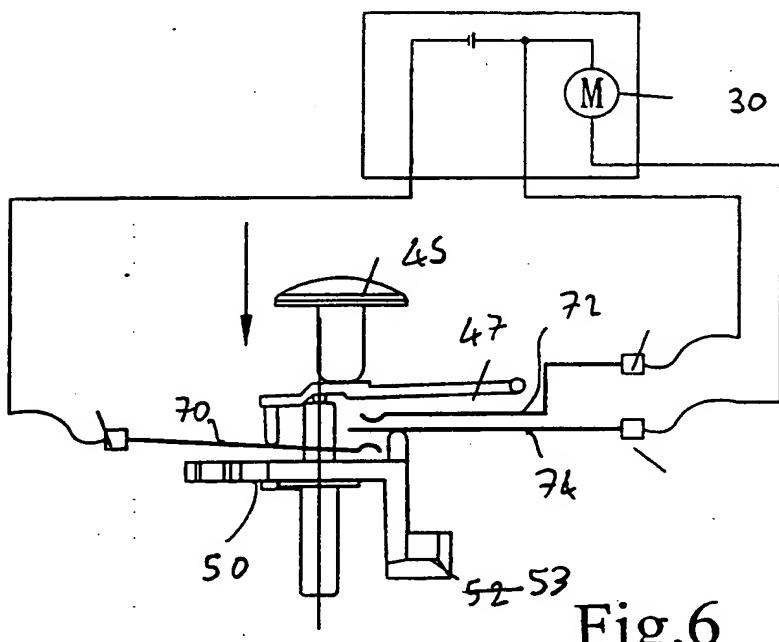


Fig.6

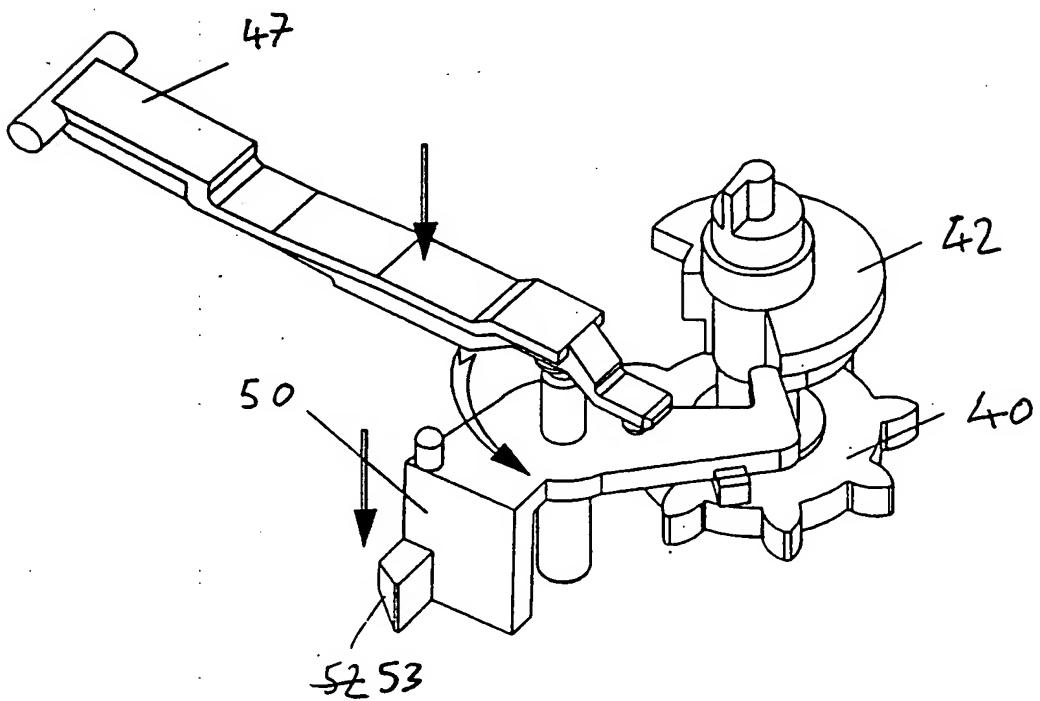


Fig.7

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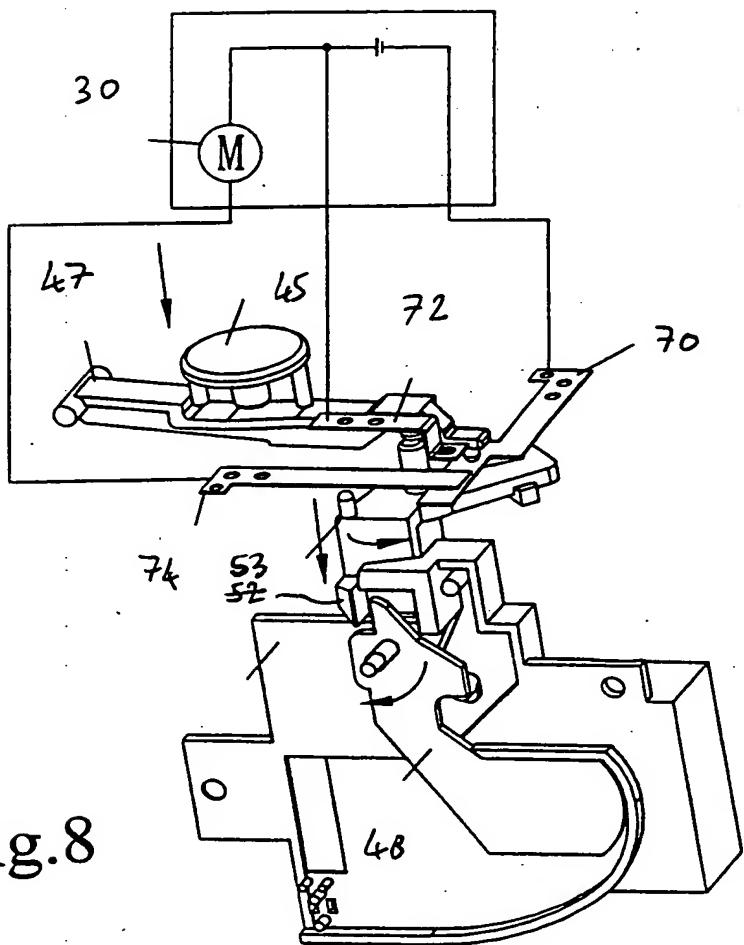
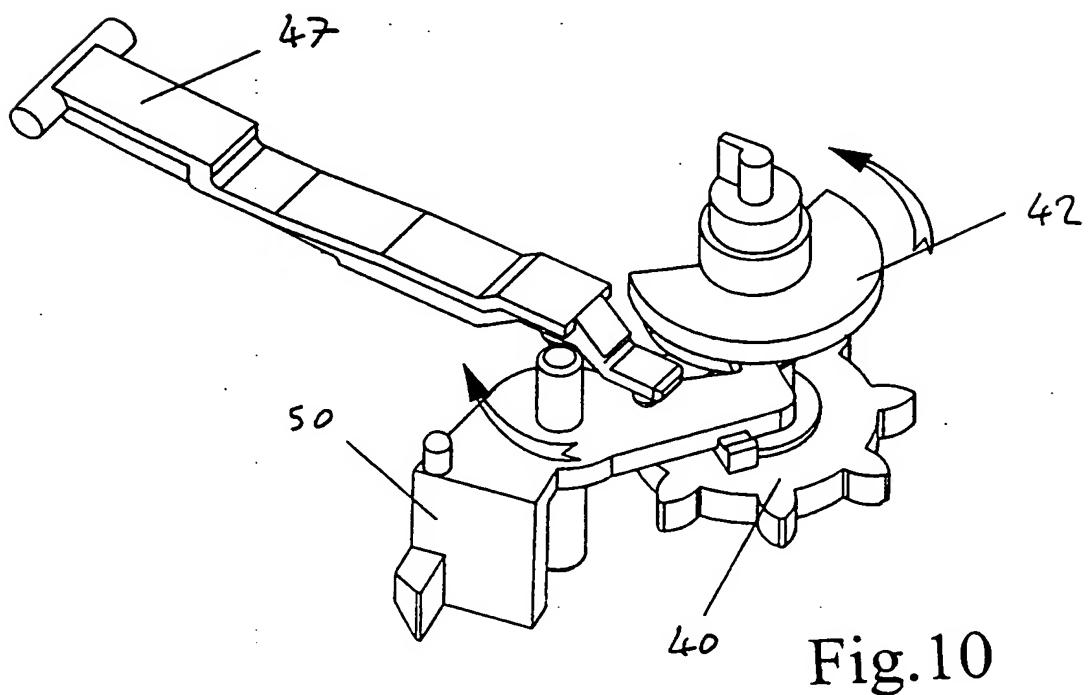
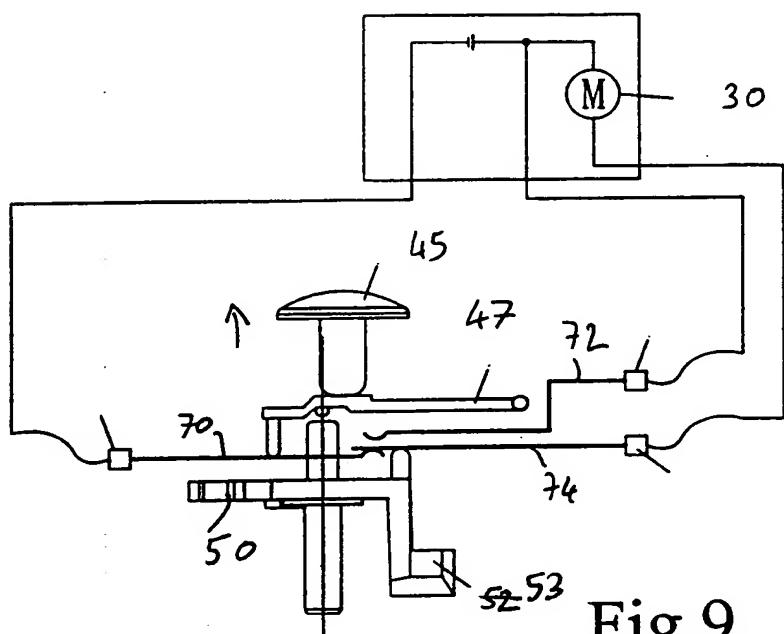


Fig.8



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First Named Inventor: Yet Chan
Atty. Docket No.: LWC0101PUSA

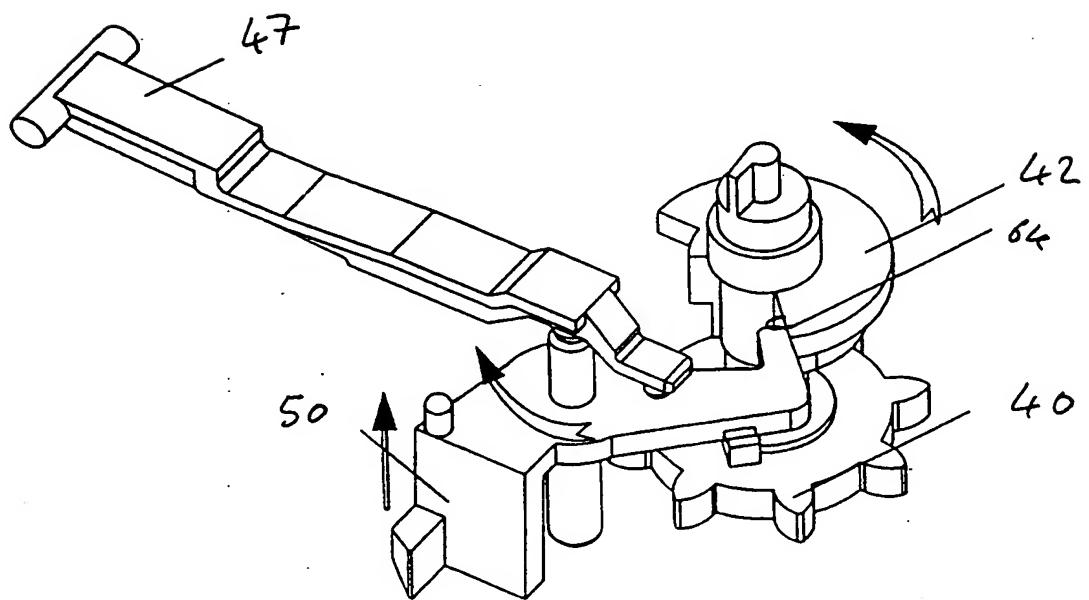
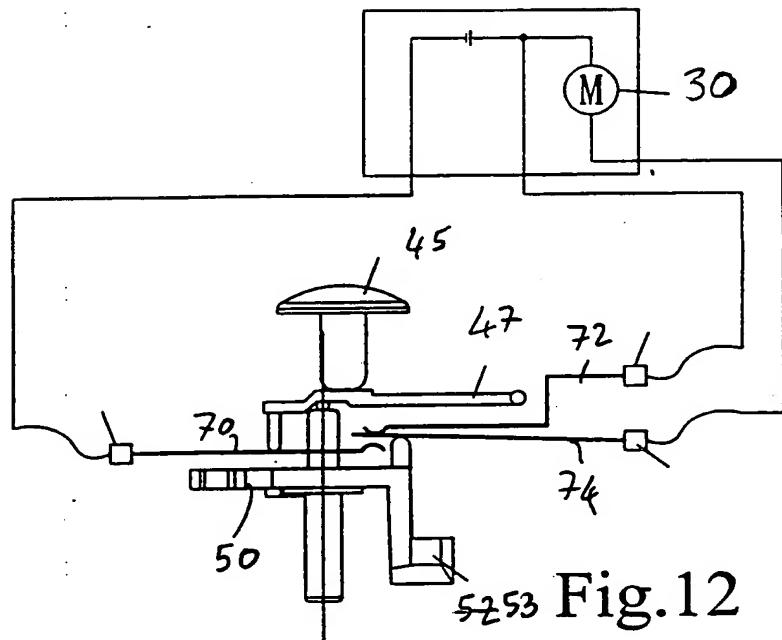
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Title: CATERA WITH MOTORISED FILM ADVANCING MECHANISM
First Named Inventor: Yet Chan
Atty. Docket No.: LWC0101PUSA

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Title: CAMERA WITH MOTORISED FILM ADVANCEMENT
First Named Inventor: Yet Chan
Atty. Docket No.: LWC0101PUSA

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